

State shall be paid to the comptroller of the state treasury by the said clerk within thirty days after receiving the same, to be by the said comptroller credited to the oyster fund, and all acts or parts of acts, and all public general or public local laws inconsistent with the provisions of this section are hereby repealed.*

As to the state fishery force, see sec. 34, *et seq.*

1904, art. 72, sec. 24. 1894, ch. 380, sec. 23.

25. Any master or person in charge of any vessel who shall violate any of the provisions of the preceding sections from 20 to 22 inclusive by taking oysters unlawfully shall be deemed guilty of a misdemeanor and upon indictment and conviction in any circuit court in this State, or in the criminal court of Baltimore, before which such case is tried, shall be sentenced to the house of correction for a term not less than three months nor more than one year and the boat or vessel used in such violation, together with the papers, furniture and tackle on board of said boat or vessel at the time of said violation shall be forfeited, but shall be released upon the payment of not less than one hundred dollars nor more than five hundred dollars and costs and expenses for each and every violation of the preceding sections, in the discretion of the court.

Ibid. sec. 25. 1894, ch. 380, sec. 24.

26. Upon information given under oath to any judge of the circuit court or justice of the peace of any violation of any of the provisions of this article, he shall issue his warrant to the sheriff or any constable requiring any of them to whom it may be directed to summon a *posse comitatus*, if necessary, and proceed forthwith to arrest the party or parties alleged to have been engaged in the violation of this article and to seize and take possession of any boat, canoe or vessel, together with all her tackle and apparel on board of the same, and deliver the same to the judge of the circuit court or a justice of the peace of this State, to be dealt with according to the provisions of this article; provided, that any justice of the peace before whom any person is brought charged with a violation of any of said sections of this article, the punishment for which is imprisonment in the house of correction, shall grant the parties charged a speedy hearing and, if in his judgment the facts appear to warrant a conviction, he shall hold the parties charged for their appearance before the grand jury of the county for which he is appointed at the succeeding term of the circuit court.

See sec. 51 and notes.

Ibid. sec. 26. 1894, ch. 380, sec. 25.

27. It shall not be lawful for the owner or master or any person on board of or having control over any boat or vessel licensed to catch or

*The act of 1910, ch. 413 (p. 205), repealed and re-enacted section 23 of the code of 1904 without specific reference to the act of 1908, ch. 104, which also repealed and re-enacted said section. Presumably, however, the legislature of 1910 intended to repeal and re-enact section 23 (of the code of 1904) as it was amended by the act of 1908, ch. 104, and hence, the latter act is not codified.